

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In the Matter of the Complaint of D & B §  
BOAT RENTALS, INC. as Owner and § CIVIL ACTION NO. H-12-1195  
Operator of the M.V. ANN B for Exoneration § ADMIRALTY  
from or Limitation of Liability §

**ORDER**

This is a limitation-of-liability action. On August 3, 2012, the court lifted the limitation stay to allow the claimant to pursue his state-court action. The court then closed the case administratively pending resolution of the state-court action, with regular status reports to be filed with the court. (Docket Entry No. 17). On the same day, a short time before the court issued its order, the claimant moved for summary judgment. (Docket Entry No. 16).

The court's order administratively closing this case pending the resolution of the state-court action makes the claimant's summary judgment motion premature and removes the need for the filing of a response. The summary judgment motion is denied without prejudice on that basis. After resolution of the state-court action and when this case is reinstated to the court's active docket, the claimant may reurge the motion if appropriate.

SIGNED on August 13, 2012, at Houston, Texas.

  
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Lee H. Rosenthal  
United States District Judge